



WA No. 3609 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 09-01-2026**

CORAM

**THE HON'BLE MR JUSTICE R. SURESH KUMAR**

**AND**

**THE HON'BLE MR.JUSTICE SHAMIM AHMED**

**WA No. 3609 of 2025  
AND CMP NO. 29771 OF 2025**

A.Nirmala  
W/o.A.Arjunan, No.173, Indira Garden,  
Peters Road, Royapettah, Chennai-600 014.

..Appellant

Vs

1. The District Revenue Officer, Taluk Office,  
Ponneri, Chennai-601204.
2. The Revenue Divisional Officer, Taluk Office,  
Ponneri, Chennai-601204.
3. The Tahsildar, Taluk Office, Ponneri,  
Chennai 601204.
4. M.S. Manikandan, S/o. Somasundaram,  
No.1/2314B, Sivanthi Adhithar Nagar,  
Attanthangal Village, Chennai 52.
5. J.I. Sundarraj, S/o. M.S.A. Ignius Raj, No. 20/430,  
Ayothiya Nagar, Triplicane, Chennai 5

..Respondents

**Prayer :** Writ Appeal under Clause XV of the Letters Patent to set aside the order made in W.P. No. 37266 of 2025 dated 06.10.2025.



WA No. 3609 of 2025

For Appellant :  
For Respondents :

Mr.C.Veera Raghavan  
Mr.C.Gauthamaraj  
Government Advocate – for R1 to R3

**Judgment**  
**(Judgment of the Court was delivered by R.Suresh Kumar J.)**

This intra court appeal has been directed against the order passed by the Writ Court dated 06.10.2025 made in W.P.No.37266 of 2025.

2. The present appellant is the writ petitioner before the writ Court. In respect of the property in Survey Nos.373/12B, 373/6A, 373/7C, 373/1A, 373/5B and 373/13B to an extent of 3.38 acres situated at No.111, Alamathi~2 Village, Sozhavaram Zone, Ponneri Circle, Thiruvallur district, it has been claimed by the petitioner that it was purchased by him from the original owner, by way of a registered document dated 15.06.2005 under Document No.2973 of 2005.

3. However, it is the claim of the fourth respondent that in favour of his father Somasundaram Patta had already been issued in respect of the subject property. On the strength of the Patta having been issued in this regard, the fourth respondent is claiming title over the property and there has been a dispute with regard to the title. Only at that juncture, in order to restore the patta in favour of the writ petitioner / appellant, when he approached the first respondent District Revenue Officer (DRO), having considered all these aspects as there has been a dispute over the title of the property, the parties were relegated to approach the



WA No. 3609 of 2025

Civil Court and thereby the plea of the writ petitioner was rejected by the first respondent DRO by order dated 25.08.2025, which was impugned before the Writ Court.

4. The Writ Court also, having considered the factual matrix, was of the view that since there has been a dispute over the title of the immovable property, the normal course would be to relegate the parties to the competent Civil Court to get a declaratory decree as, under the provisions of the Tamil Nadu Patta Passbook Act if there is a clear title then only the title holder would be able to get the Patta based on the right created on him on the basis of the documents. When that being the legal position, since there has been a cloud over the title of the property, it cannot be expected by the petitioner to get the Patta, as the fourth respondent also is claiming title over the property. Therefore, the learned Judge has rejected the writ petition by observing that the parties especially the appellant / writ petitioner can approach the civil Court to get the declaratory decree, as against which order the present writ appeal has been filed.

5. Learned counsel for the appellant though made an attempt to assail the order which is impugned herein, we are not impressed with the said attempt made by the learned counsel for the simple reason that, as has been rightly pointed out by the learned Judge, if there is a dispute over the title of the immovable property, the proper course is to relegate the parties to get a declaratory decree. When such is



WA No. 3609 of 2025

the position, absolutely there is no infirmity in making such an observation as has been passed by the writ Court relegating the parties to go before the Civil Court by dismissing the writ petition through the impugned order.

6. In that view of the matter, we do not find any reason to interfere with the impugned order passed by the Writ Court. The writ appeal is liable to be dismissed and it is accordingly dismissed. However, while dismissing the writ appeal, we direct the appellant as well as the private respondents not to encumber the property until a decision is taken by the Civil Court in a suit to be filed in this regard, either by the writ petitioner / appellant or the private respondents, as the case may be, within a period of three months from the date of receipt of a copy of this order. It is further made clear that, while filing such suit, the plaintiff in the suit can seek for interlocutory relief by filing an interlocutory application and if such an application is filed, it is open to the civil Court to decide the same in accordance with law.

7. With the above observation, this writ appeal is dismissed. No costs. Consequently connected miscellaneous petition is closed.

**(R.S.K.,J.) (S.S.A.,J.)**  
**09-01-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No



WEB COPY



WA No. 3609 of 2025



WA No. 3609 of 2025

To

1. The District Revenue Officer  
Taluk Office, Ponneri, Chennai-601204.
2. The Revenue Divisional Officer  
Taluk Office, Ponneri, Chennai-601204.
3. The Tahsildar Taluk Office, Ponneri,  
Chennai 601204.



WEB COPY



WA No. 3609 of 2025

**R.SURESH KUMAR J.  
AND  
SHAMIM AHMED J.**

**KST**

**WA No. 3609 of 2025  
AND CMP NO. 29771 OF 2025**

**09-01-2026**

---

Page 7 of 7